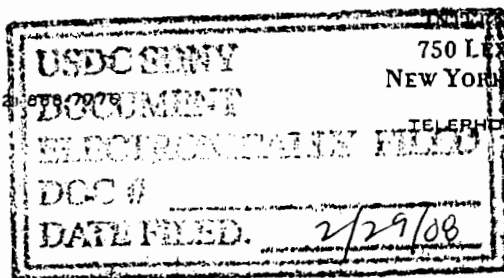


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ATTORNEYS AT LAW

MEMO ENDORSED

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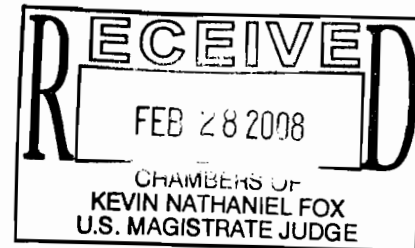
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February 28, 2008



Via Fax 212 805 6712
Hon. Kevin N. Fox
U.S. Magistrate Judge
U.S. District Court, Southern District N.Y.
40 Centre Street, Room 540
New York, NY 10007
Attn: Ed Pickerick, Esq.

Re: *DB Structured Products, Inc. v. BayRock Mortgage Corp.*, No. 07 CV 4126 (DLC) (KNF);
Scheduled Mediation date: March 3, 2008

Dear Judge Fox:

With the consent of counsel for plaintiff DB Structured Products, Inc., I respectfully request an adjournment of the above-referenced settlement conference to March 17, 2008. On March 3, 2008, I am actually engaged before Justice Bernard Fried, Supreme Court New York County, for a continued bench trial in *Chung King House of Metal, Inc. v. Sandy Schneiderman, et al.*, Index No. 601037/06. In addition, despite the parties' good faith attempts, we have yet to receive a final draft of the settlement agreement from plaintiff, and our client will need a few days for its review of that agreement.

Under the circumstances, we hope Your Honor will be able to accommodate our request.

2/29/08

Application granted. The settlement conference will be held on March 17, 2008 at 11:00 a.m. No additional adjournment request will be entertained.

On or before March 12, 2008, the parties shall submit to the Court a copy of the settlement agreement referenced above to enable the

cc: Chris Lynch, Esq.

(Via email)

Count to discuss with the clients who will attend the conference, any term(s) of the agreement that is preventing settlement from being achieved.

SO ORDERED:

Kevin Nathaniel Fox

KEVIN NATHANIEL FOX, U.S.M.J.

Respectfully,

Ezio Scaldaferrri